

MPA Management Capacity Building Training



Module 7:

ENFORCEMENT & MPAs



Overview of Presentation

PART 1: PURPOSE AND NEED FOR ENFORCEMENT

- Principles of law enforcement
- Activities that require enforcement

What are Today's Objectives?

- *To understand the role of enforcement as a tool to manage human use activities that impact the marine environment*
- *To identify a variety of methods for addressing human behavior that is not compatible with resource protection*
- *To understand the importance of the cultural context to appropriate and effective management*

Purpose of Enforcement

To compel observance of, or obedience to rules

- By deterring or discouraging violations
- By encouraging voluntary compliance

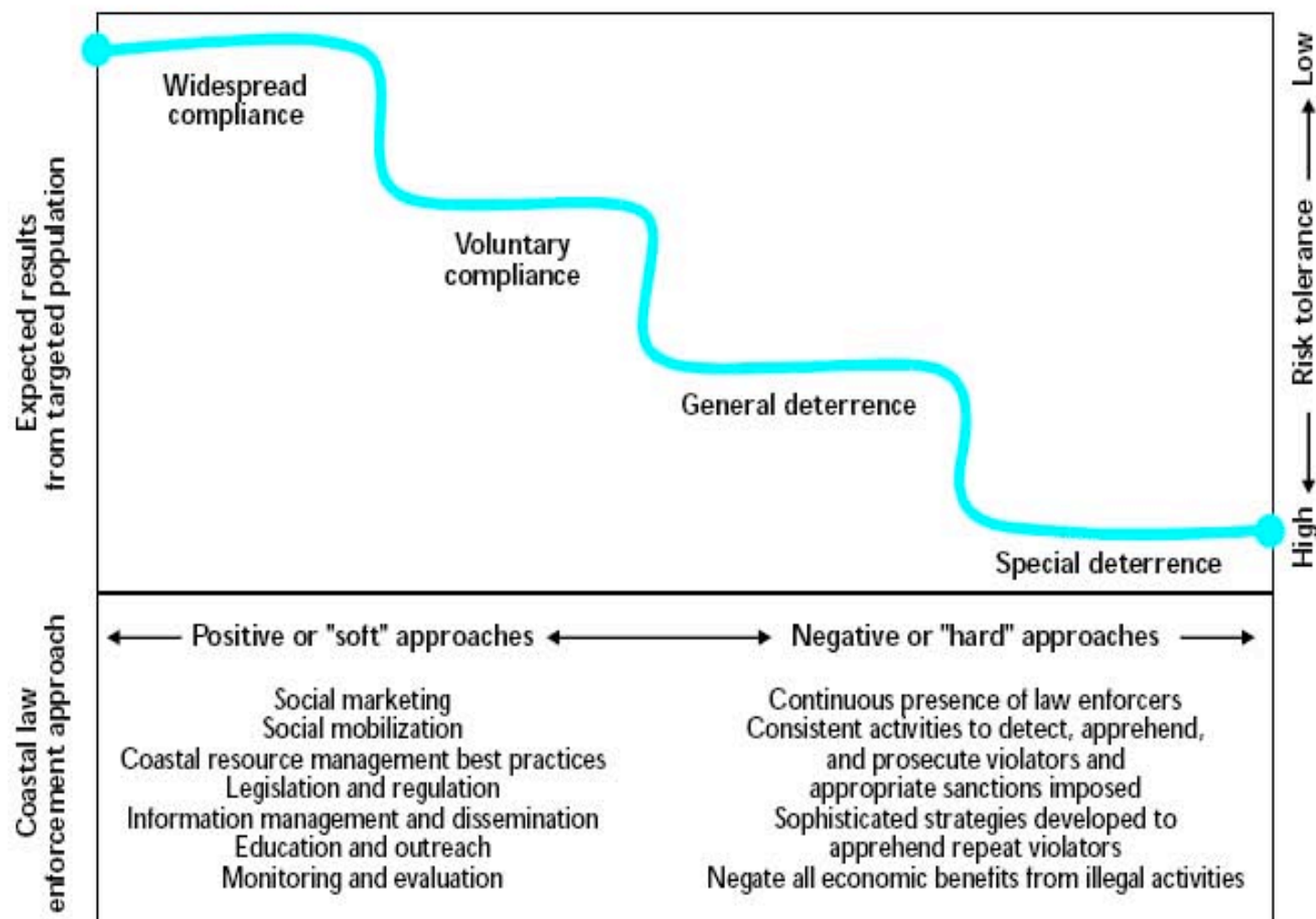
Principles of Law Enforcement

1. Law is an agreement of minds on a structure or set of rules to create a **social product** that must be deemed desirable and supported by individuals and society as a whole.
2. **Legal marketing**, or ‘selling the law’ is necessary to promote compliance.

Principles of Law Enforcement

3. Appropriate punishment must be carried out in order to serve as a deterrent to illegal behavior.
4. Sociocultural sensitivities must be considered in the manner used for implementing the law.

Enforcement Framework



Potential Obstacles to Enforcement

1. Conflicting policies and laws and implementation programs
2. Lack of political will to implement laws and enforcement programs
3. Lack of public awareness of laws and consequences of illegal activities

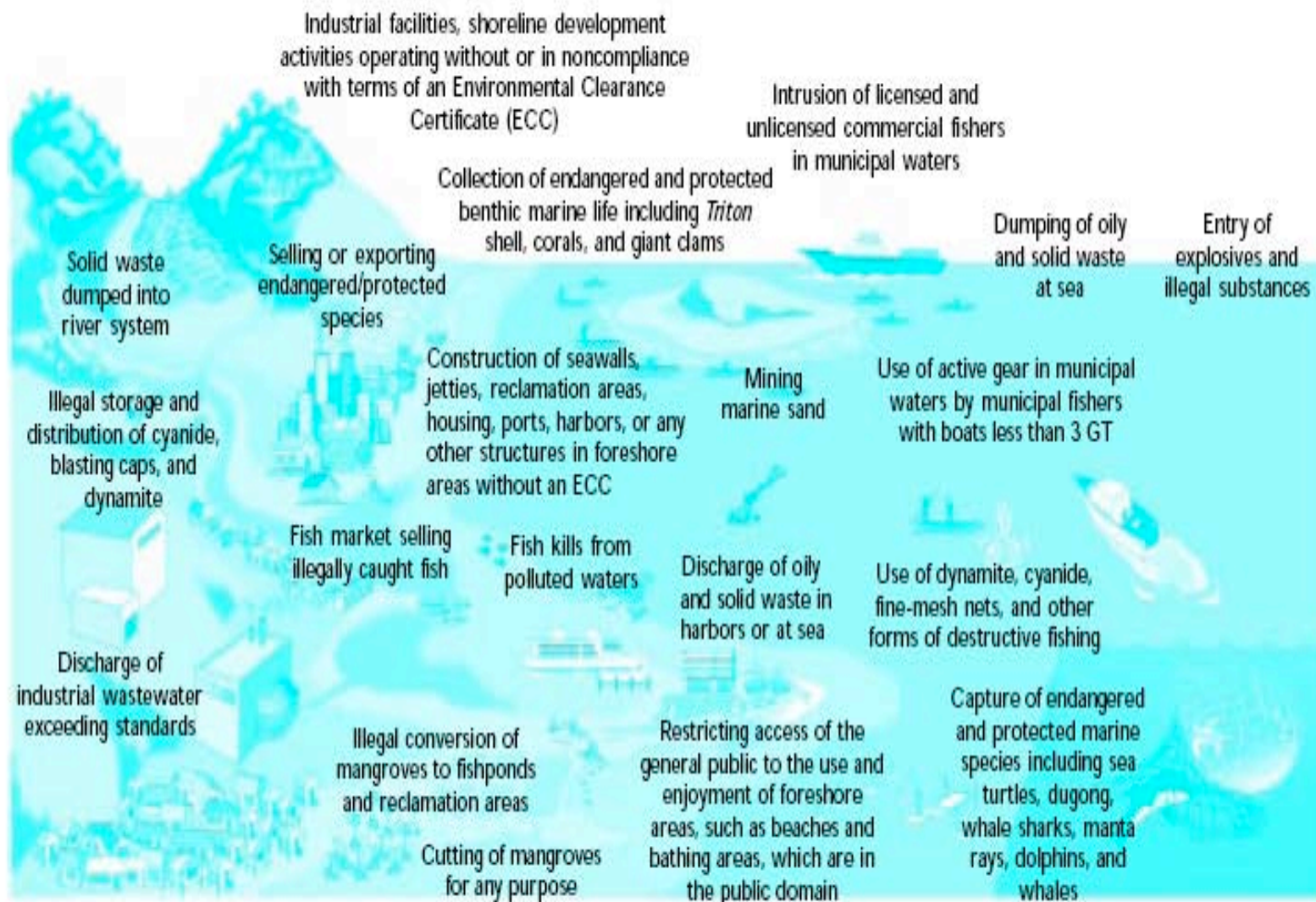
Potential Obstacles to Enforcement

4. Lack of patrol boats and other basic equipment to conduct monitoring and patrols
5. Lack of trained coastal law enforcement units
6. Lack of clear 'lead' agency in coastal law enforcement

Potential Obstacles to Enforcement

7. Incentive system that promotes illegal activities
8. Slow justice system with judiciary and prosecutors unfamiliar with fisheries and other laws
9. Slow economic development in coastal areas and lack of livelihood alternatives for those dependent on coastal resources

Coastal/ Marine Activities Requiring Enforcement



Common Categories of Violations

Fisheries-related

- Protected aquatic species-related
- Coastal habitat-related
- Foreshore and shoreline development-related
- Coastal and marine pollution-related
- Zonal and navigation-related
- Other violations/ crimes

Overview of Presentation

PART 2:

INTERPRETIVE ENFORCEMENT

- What is interpretive enforcement?
- What are some strategies for interpretive enforcement?
- Why are cultural values important to consider?

Interpretive Enforcement

Definition

- Refers to approaches geared towards encouraging **widespread voluntary compliance** with laws, rules and regulations
- Sometimes is called “soft” enforcement

Interpretive Enforcement: Basic Broad Strategies

Two main strategies

- Education and Outreach
- Networking and alliance-building

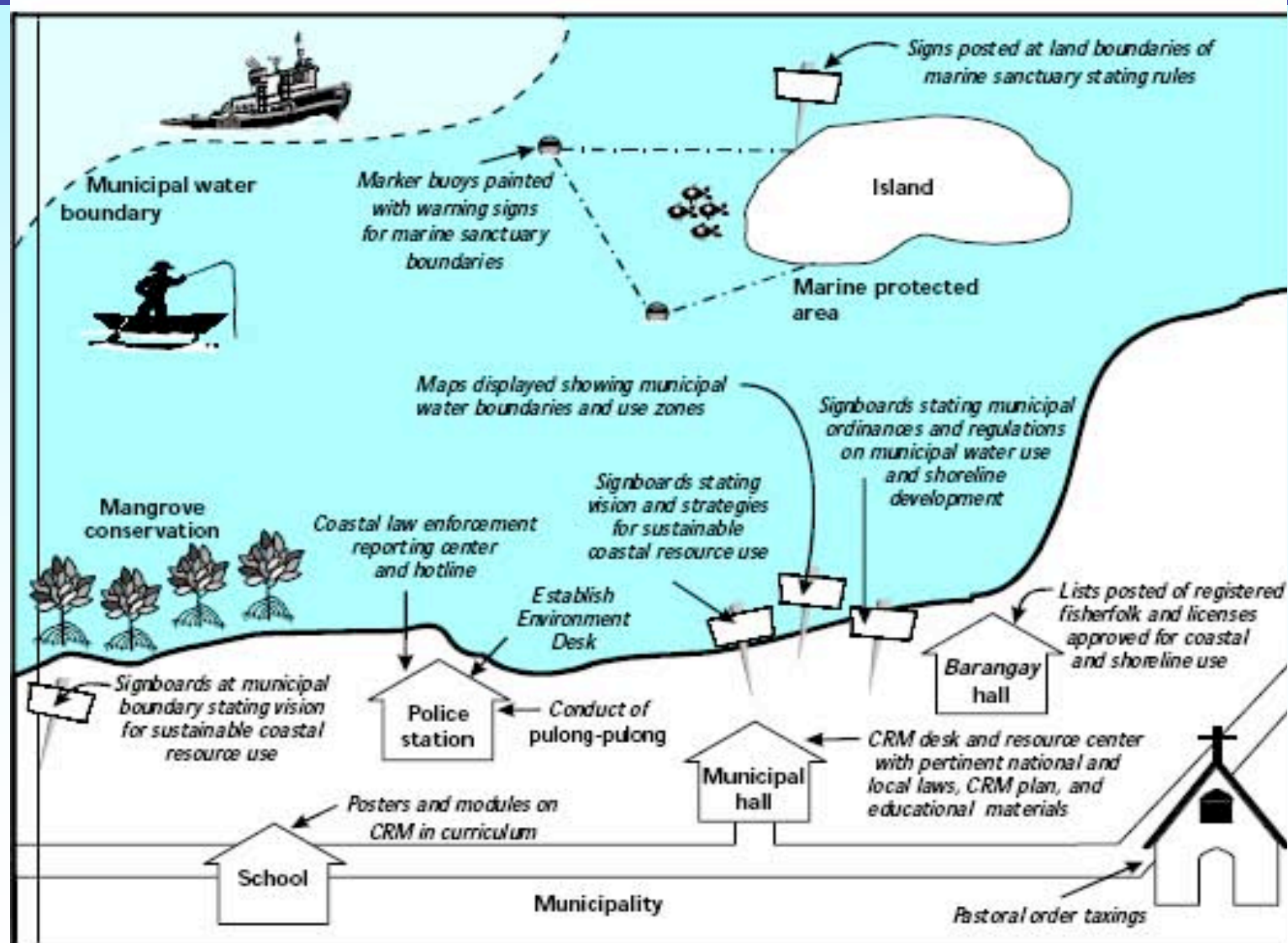


MPA

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Social Marketing of Enforcement



Interpretive Enforcement – Examples

- Signage
- Posters



- This module of the workshop!

Considering Cultural Values

Cultural Values System

- set of norms or conduct, traditional knowledge, and beliefs that prevail in communities
- natural mechanism by which order is maintained in communities because it has its own set of informal rewards and punishments

Considering Cultural Values

Indigenous Learning Systems

- traditional and often longstanding ways in which a local community gathers and relays information

Indigenous Systems and Cultural Values



Related examples:

Old: Customary marine tenure – traditional management of resources in a marine area



New: Locally Managed Marine Area (LMMA)
– area of nearshore waters actively managed by local communities

Overview of Presentation

PART 3:

TRADITIONAL LAW ENFORCEMENT

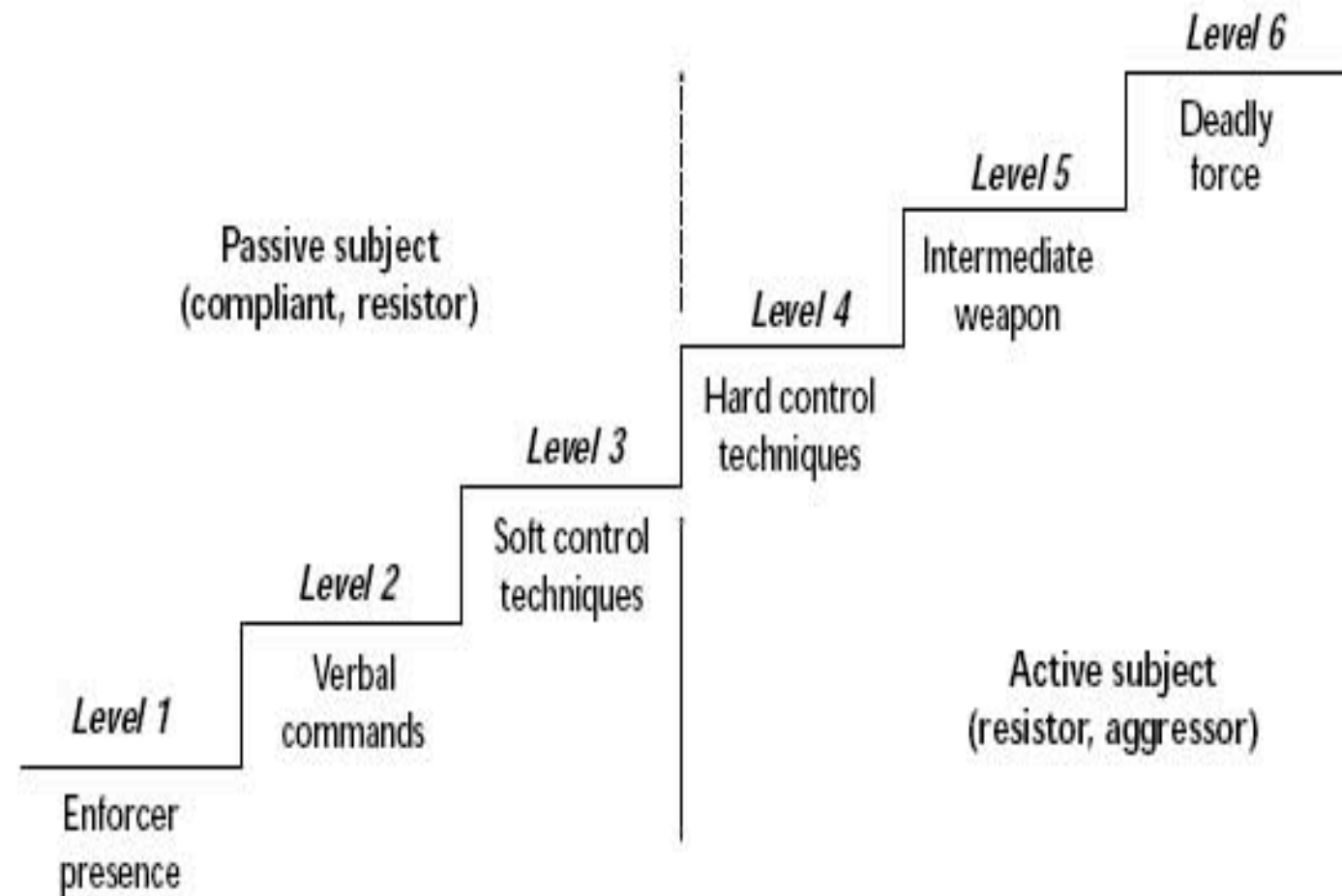
- What is it?
- Use of Force Continuum Model
- Operational Tactics

Law Enforcement

What is it?

- Needed to deter violation of coastal laws by the portion of the population that does not or will not respond to interpretive enforcement
- Uniformed officers, surveillance, patrols, apprehension

Use of Force Continuum Model



Law Enforcement Operational Tactics

- Land-based activities
 - Preventative
 - Less costly

AND

- Seaborne patrols
 - Preventative and corrective
 - Can be expensive and risky

Law Enforcement Operational Tactics

A few examples...

- Patrols
 - Visible
 - Covert
 - Multi-unit
 - Single-unit
 - Foot patrol
 - Harbor patrol
- Blockades
- Directed raids
- Market denial



Law Enforcement Operational Tactics

- Technology helpful
 - Fast boats
 - Radios
 - Cell phones
 - GPS



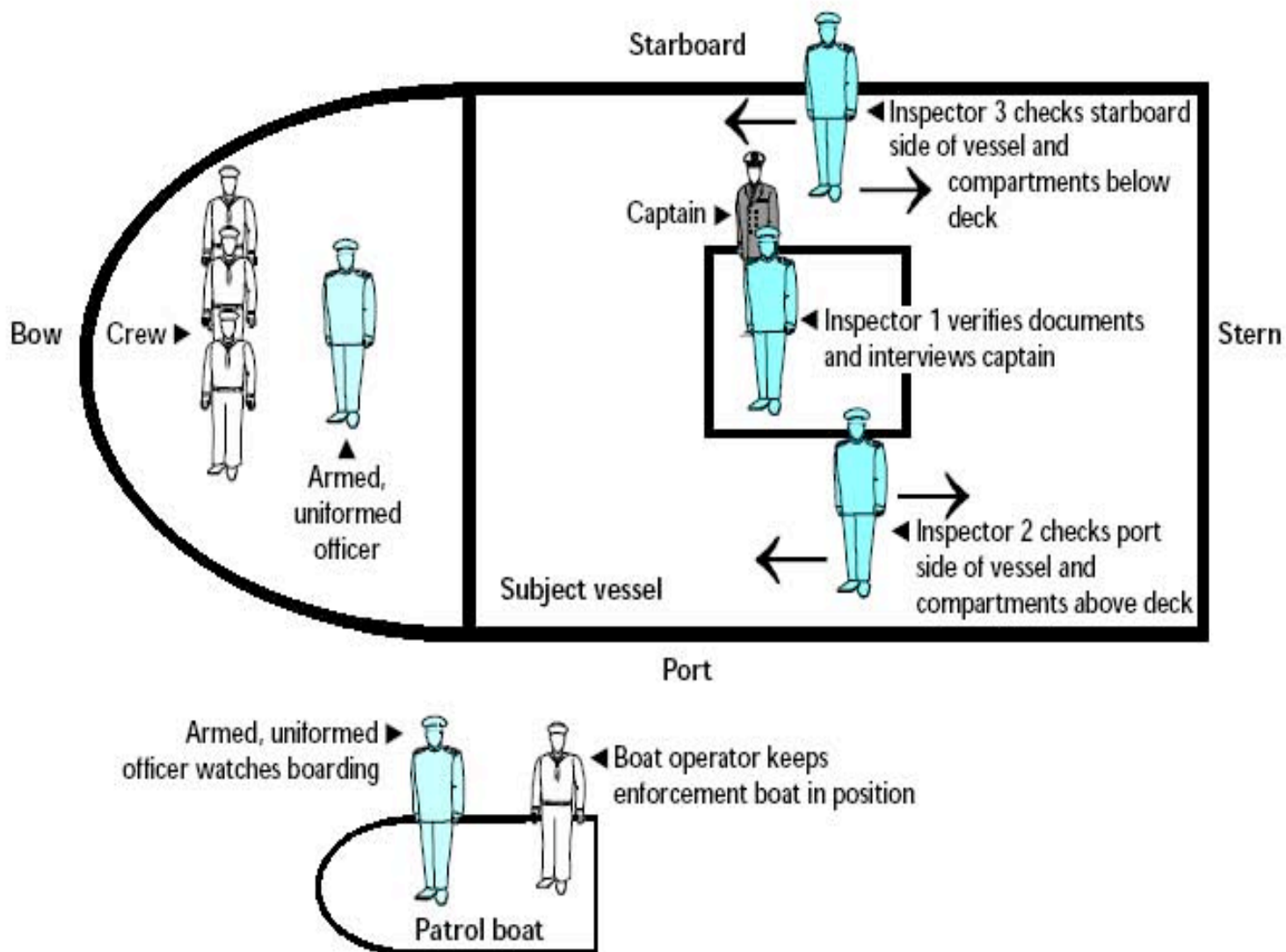
- Coming soon?
 - Satellites
 - UAV

MPA

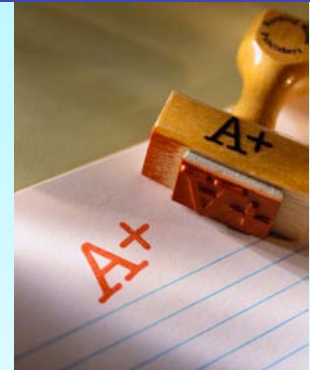
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Law Enforcement Boarding



Law Enforcement Quiz Time!



In small groups, list:

1. three different examples of potential law violations in MPAs
2. an example of interpretive enforcement for MPAs
3. elements of a signboard for your MPA
4. an example of a cultural value that would be important when designing an enforcement program for the MPA
5. five pieces of mandatory equipment when boarding a vessel

Compare your answers with other groups and discuss.